

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA :
 : Civil No. 04-12596-PBS
 v. :
 :
 BUENAVENTURA LOVOS, :
 :
 Defendant. :

GOVERNMENT'S MOTION SEEKING LEAVE UNTIL FEBRUARY 22, 2005
TO FILE OPPOSITION TO DEFENDANT'S SECTION 2255 PETITION

The United States respectfully moves for leave of Court to file an opposition to defendant's petition under 28 U.S.C. § 2255 on February 22, 2005. In support of the motion, the government submits the following:

Defendant Buenaventura Lovos ("Lovos") filed the instant petition on December 10, 2004. On December 16, 2004, the Court ordered the government to respond within twenty days. Undersigned government counsel recently joined the U.S. Attorney's Office on December 13, 2004. Among other cases, undersigned counsel has been assigned a twenty-four defendant drug conspiracy case involving multiple Title III wiretaps which is also before this court, *United States v. Luz Luciano et al.*, 04-10299-PBS. Undersigned counsel will need additional time, until February 22, 2005, to prepare an opposition to Lovos's petition.

Furthermore, Lovos filed an earlier petition styled *Buenaventura Lovos vs. Terry O'Brien*, 04-12072-PBS also under 28 U.S.C. § 2255. The government has filed a motion to dismiss this petition at the same time of the filing of this motion.

Respectfully submitted,

Michael J. Sullivan
UNITED STATES ATTORNEY

By: /s/ Neil J. Gallagher, Jr.
ASSISTANT UNITED STATES ATTORNEY
Neil J. Gallagher, Jr.
United States Courthouse
1 Courthouse Way
Suite 9200
Boston, MA 02210
617-748-3397